

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

MARGGIE DARY RODRIGUEZ PEREZ

Debtor(s)

CASE NUMBER: 09-01507-MCF

CHAPTER 13

**MOTION ON PROOF OF CLAIM  
NOTICE AND CERTIFICATE OF SERVICE**

**TO THE HONORABLE COURT:**

**COMES NOW**, Alejandro Oliveras Rivera, Standing Chapter 13 Trustee, and very respectfully **ALLEGES, STATES** and **PRAYS**:

1. **BBVA** filed proof of claim number **05**, for **\$47,627.75**. Debtor(s) plan proposed for the lift of stay in favor of **BBVA**.

**WHEREFORE**, it is respectfully requested from this Honorable Court to: grant this objection, further providing that the creditor return **\$340.00** improvidently disbursed to it.

**30 DAY NOTICE TO ALL CREDITORS AND PARTIES IN INTEREST :** YOU ARE HEREBY NOTIFIED THAT YOU HAVE THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE TO FILE AN OPPOSITION TO THE FOREGOING MOTION AND TO REQUEST A HEARING. IF NO OPPOSITION IS FILED WITHIN THE PRESCRIBED PERIOD OF TIME, THE TRUSTEE'S MOTION WILL BE DEEMED UNOPPOSED AND MAY BE GRANTED WITHOUT FURTHER HEARING UNLESS(1) THE REQUESTED RELIEF IS FORBIDDEN BY LAW; (2) THE REQUESTED RELIEF IS AGAINST PUBLIC POLICY; OR (3) IN THE OPINION OF THE COURT, THE INTEREST OF JUSTICE REQUIRES OTHERWISE. IF A TIMELY OPPOSITION IS FILED, THE COURT WILL SCHEDULE A HEARING AS A CONTESTED MATTER.

**CERTIFICATE OF SERVICE:** I hereby certify that on this date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sends notification of such filing to all those who in this case have registered for receipt of notice by electronic mail. I further certify that the foregoing has been served to U.S. Trustee at [ustregion21.hr.ecf@usdoj.gov](mailto:ustregion21.hr.ecf@usdoj.gov), and by depositing true and correct copies thereof in the United States Mail, postage prepaid, to debtor(s), debtor(s) attorney, creditor and creditor's legal representation (if appearance has been filed) to their addresses of record.

**RESPECTFULLY SUBMITTED** at San Juan, Puerto Rico, this

**JUL 20 2010**

**S/ALEJANDRO OLIVERAS RIVERA  
ALEJANDRO OLIVERAS RIVERA  
Chapter 13 Trustee  
PO Box 9024062  
San Juan, PR 00902-4062  
Phone 787-977-3500 Fax 787-977-3521**

The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail or electronically sent to the parties listed below:

BBVA

PO BOX 364745

SAN JUAN, PR 00936 -4745

JUAN O CALDERON LITHGOW\*

PO BOX 1710

VEGA BAJA, PR 00694-1710

MARGGIE DARY RODRIGUEZ PEREZ

PO BOX 550

LAJAS, PR 00667

DATED: July 20, 2010

Page 1 of 2

- CASE

09-01507-MCF

S/DIANA ARROYO

OFFICE OF THE CHAPTER 13 TRUSTEE